

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

STEPHEN BUSHANSKY,

§

*Plaintiff,*

§

v.

§

CIVIL ACTION H-12-2257

GENON ENERGY, INC., *et al.*,

§

*Defendants.*

§

**ORDER**

The parties' joint request to stay the case (Dkts. 16, 17) is GRANTED.

It is therefore ORDERED that defendants' motions to dismiss for failure to state a claim (Dkts. 12–13) are DENIED WITHOUT PREJUDICE AS MOOT.

It is further ORDERED that this cause of action is STAYED and administratively (statistically) closed pending the later of: (1) the adjudication in *GenOn Energy, Inc. Shareholders Litigation*, Consolidated C.A. No. 7721-VCN (the “Delaware Action”) of any motion to enjoin the shareholder vote and/or the merger, or (2) the final settlement of the Delaware Action.

It is so ORDERED.

Signed at Houston, Texas on October 25, 2012.

Gray H. Miller  
United States District Judge